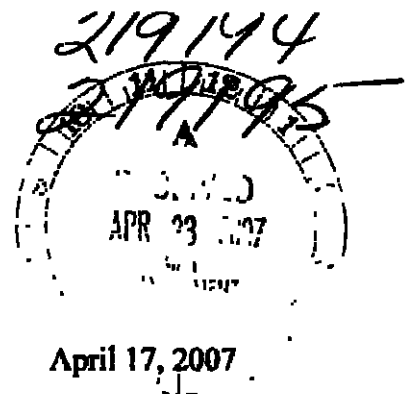


James H. Brown  
6 Cottage Place  
Freehold, NJ 07728



April 17, 2007

Mr. Vernon A. Williams, Office of the Secretary  
Surface Transportation Board  
395 E. Street SW  
Washington, DC 20423-0001

Re: Surface Transportation Dockets 34986 and 34987, Ashland Railroad, Inc. and  
G. David Crane-Verified Notices of Exemptions

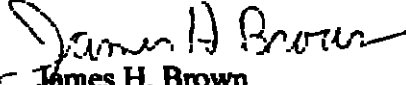
Dear Secretary Williams:

As per instructions from the Surface Transportation Board, I have served each party of record, a copy my letter, with exhibit's A through E, that was addressed to you dated April 5, 2007. Each party of record's copy was sent via certified U.S. Postal Mail Service, this date April 17, 2007. Enclosed you will find a copy of each letter with the U.S. Postal Service Certified Receipt as documentation that each party was served.

I wish to thank Ann Newman of your staff for her patience and assistance. Her ability to help understand what I needed to do was greatly appreciated.

I have included my Notice of Intent to Participate as a Party of Record. A copy of this notice was included in the information sent to each party of record.

Sincerely,

  
James H. Brown  
Resident

ENTERED  
Office of Proceedings

APR 30 2007

Part of  
Public Record

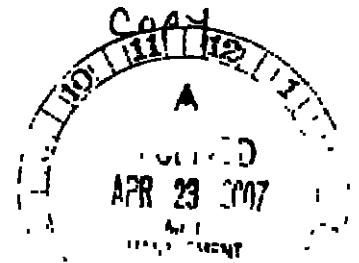
cc: Mr. Vernon A. Williams, Secretary Surface Transportation Board

Enc: \* Copy of James H. Brown letter-with exhibit's A to E. of April 5, 2007 to Mr.  
Vernon A. Williams, Secretary Surface Transportation Board

\* James H. Brown Notice of Intent to Participate as a Party of Record

\* Copy of letters sent to parties of record on the above mentioned dockets

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728



April 5, 2007

Mr. Vernon A. Williams Office of the Secretary  
Surface Transportation Board  
395 E. Street, SW  
Washington, DC 20423-0001

Dear Mr. Williams:

I am a resident living in the Borough of Freehold, Monmouth County, New Jersey. I am writing about a Notice of Verified Exemption application that is currently being sort by the Ashland Railroad Company, Finance Docket No. FD-34986 and G. David Crane, Finance Docket No. FD-34987. Should your office grant this Notice of Verified Exemption, I fear the environmental safety and quality of life in my community and surrounding communities will be adversely effected.

There is no need for me to state what has transpired to date, as your office already has the original application of Notice of Verified Exemption listed above, numerous communications to stay the execution of exemption and Notice of Intents to Participate in this matter. I will pick up my comments on the recent reply by Capehart & Scatchard, attorneys representing Ashland Railroad Company and C. David Crane in this matter.

I am amazed at how attorneys can write so many words on paper that mean a whole bunch of nothing. An example is on the first page of Capehart & Scatchard letter of March 28, 2007 to your office which states, "Petitioners report that they are arranging meetings with Conrail, Norfolk Southern, and CSA Transportation in order to enter into an appropriate interchange agreement". However, when you look at the petitioners original application, which was filed on January 30, 2007, on page four under Brief Summary of Transaction, 49 CFR 1150.33 (e), they appear to imply an agreement had already been reach. "Consolidate Rail Corporation (Conrail) who will interchange traffic with ASRR on behalf of both Norfolk Southern Railroad Company (NS) and CSX Transportation Company (CSX) at Freehold, NJ". A letter from New Jersey Transit (copy enclosed as exhibit A), dated February 21, 2007 confirms Ashland has no agreement with Conrail, nor has contacted the true owner of the rail line which is New Jersey Transit.

As a resident in a community that will be effected by this application I have several concerns and questions that have not been answered about this application. The answer to questions listed below are referenced in a letter of March 28, 2007 from Capehart and Scatchard, law firm representing Ashland Railroad and C. David Crane, to Deputy Attorney General State of New Jersey.

- ☐ **Answer to Question 1:** "There are currently no plans to handle waste materials on the Ashland Railroad". "However, if it is offered a waste commodity for shipment it will accept it only as a containerized load"

**My Question:** If at a future date, Ashland does handle waste, will they be required to seek prior approval from New Jersey to ensure all environmental issues are properly address before handling waste, or does Ashland intend to use the Notice of Verified Exemption to preempt all New Jersey Environmental Protection Laws?

- ☐ **Answer to Question 1:** "There are no plans for any facility building." and **Answer to Question 9:** "There are no plans to construct a building facility".

**My Question:** If Ashland is not going to build a building facility, what will their facility tenants do, pitch tents on the sod farm to see if that will work? (Please reference Ashland's original application on page 4, Brief Summary of Transactions, "ASSR will provide switching and related rail services to facility tenants that utilize the terminal facilities")

**My Question:** If and when Ashland's facility tenants do show up, will they be required to adhere to all local and state regulations pertaining to the particular business they wish to operate, or will they be able to use, or will Ashland use their Notice of Verified Exemption to preempt all local and state codes and regulations?

- ☐ **Answer to Question 1:** "The railroad plans to handle brick, stone, sand, lumber, salt and similar commodities on the railroad", and **Answer to Question 3:** "The primary shipper is Clayton Sand Company and its subsidiaries".

**My Question:** If Clayton Sand is the primary and the only known shipper at this time, and all Ashland plans to handle at this time is the commodities listed above, why doesn't Ashland work with Clayton Sand to use their existing facility which is located along the same rail line? (Please reference exhibit B, a map of the area indicating Clayton's existing operating and the proposed site Ashland wants to lease from Grems-Kirk Railway.)

- ☐ **Answer to Question 3:** "Crane and Ashland hope to attract other shippers to the facility once it is operating, but do not have any other proposed shippers at this time".

**My Question:** If Ashland and/or Crane should decided to build a facility, after the Notice of Verified Exemption is approved, to accommodate or house unknown shippers, who may come forward at a later date, will Ashland, Crane and/or these unknown shippers be required to seek all permits and meet all requirements, as prescribed by New Jersey State Law?

**My Question:** The property to be leased in the original Ashland application is currently a working sod farm. The portion Ashland plans to lease from Grems-Kirk Railway is a heavy wooded area, has streams running through it, and there are no buildings, platforms or foundations on this property. Can someone please tell me, what specific facility Crane and/or Ashland is talking about? (Please reference exhibit B, map of the proposed area)

- ☐ **Answer to Question 8:** "Ashland and/or Crane have not had communication with New Jersey agencies since there are no approvals required from New Jersey agencies for the operations that Ashland intends to operate"

**My Question:** Is Ashland and/or Crane's intention to first obtain approval of their application of Notice of Verified Exemption to avoid having to communicate with New Jersey agencies?

#### **The Code of Federal Regulations addresses Environmental Reports**

**49 CFR 1105.7 Environmental reports (a) Filing.** An applicant for an action identified in 49 CFR 1105.6 (a) or (b) must submit to the Board (with or prior to its application, petition of notice of exemption, except as provided in paragraph (b) for abandonment's and discontinuances) an Environmental Report on the proposed action containing the information set forth in paragraph (e) of this section.

**49 CFR 1105.7 (e) Content.** The Environmental Report shall include all of the information specified in this paragraph, except to the extent that applicant explains why any portions (s) are inapplicable.

**49 CFR 1105.6 Classification of actions. (a) Environmental Impact Statements** will normally be prepared for rail construction proposals other than those described in paragraph (b) (1) of this section

The Ashland Railroad Company addresses Environmental and Historic Preservation Matters on page 5 of the original application filed with the Surface Transportation Board. **Environmental and Historic Preservation Matters:** Pursuant to 49 CFR 1105.6 (c)(2), the proposed transaction is exempt from environmental review under 49 CFR 1105.6 (c) (2)(I) because the proposed herein will not cause any operating changes that exceed the thresholds establish in 49 1105.7 (e) (4) or (5).

Is it true that Ashland is exempt because of a threshold dollar amount they claim will not be achieve, and they state their proposed application will not have any impact or changes upon the mentioned property to be leased?

- ☐ **49 CFR 1105.7 (e)(1) Proposed actions and alternatives.** Please explain; Clayton Sand is Ashland's only known shipper, and already has an existing facility operating on the same rail line and Ashland feels it is a better alternative to tear up a sod farm to

build and operate a transloading facility

- ☐ **49 CFR 1105.7 (e)(2) Transportation system.** Please explain; how can Ashland claim to know the effects of their proposed application, when they have not contacted or had discussions with the operator of the line, Consolidated Rail Corporation or the owner of the line New Jersey Transit?
- ☐ **49 CFR 1105.7 (e)(3) Land Use.** Environmental Reports should be based on consultation with local and/or regional planning agencies. Please explain; If Ashland, as stated in their original application, plans to develop a transloading facility, accept future unknown facility tenants, receive and ship unknown commodities, why is Ashland exempt from producing an Environmental Report?

I respectfully request the surface transportation board continue its stay of execution of Ashland Railroad Company and C. David Crane application for Notice of Verified Exemption until all questions and requested information has been put forth by Ashland and Crane and all agreements have been completed.

I respectfully request the Surface Transportation Board have an Environmental Protection Agency Field Specialist perform an on site assessment of the property referred to in Ashland Railroad Company's original application of Notice of Verification. The specialist can determine if Ashland's proposal should require a full environmental report.

Secretary Williams I already have a freight train that comes through my town once or twice a week with about 4 or 6 rail cars. Three go to a building supply company located on this same line, and 1 or 2 to the Nestlé's Company, both of which are serviced by Conrail. I have spoken with my Borough Business Administrator about this issue, and he is not sure if Clayton currently uses the rail service at its Freehold location. He contacted Clayton four weeks ago and asked for additional information, but has not received anything as of this date. New Jersey Transit who owns this line plans to develop a passenger rail service. I am not wild about a passenger train coming through my town, but Monmouth County has developed to the point where mass transit is needed, so I will live with a passenger rail train. I also have a solid waste transfer facility that operates about ½ mile from my home. I live with that because it is permitted, regulated and inspected by the New Jersey Department of Environmental Protection to ensure it operates to keep our environment safe and not ruin the quality of life in my town. I implore you, do not make me live with an unpermitted and unregulated trash train running through my town, it is not right!

If I need to register as a party who intends to participate in this matter, please have one of your staff contact me and give instructions what an individual must do in order to participate. Should you or your staff have any questions, please contact me at:

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728  
Home phone: (732) 780-5472  
Cell Phone (732) 567-3974  
Email: [jbrown245@verizon.net](mailto:jbrown245@verizon.net)

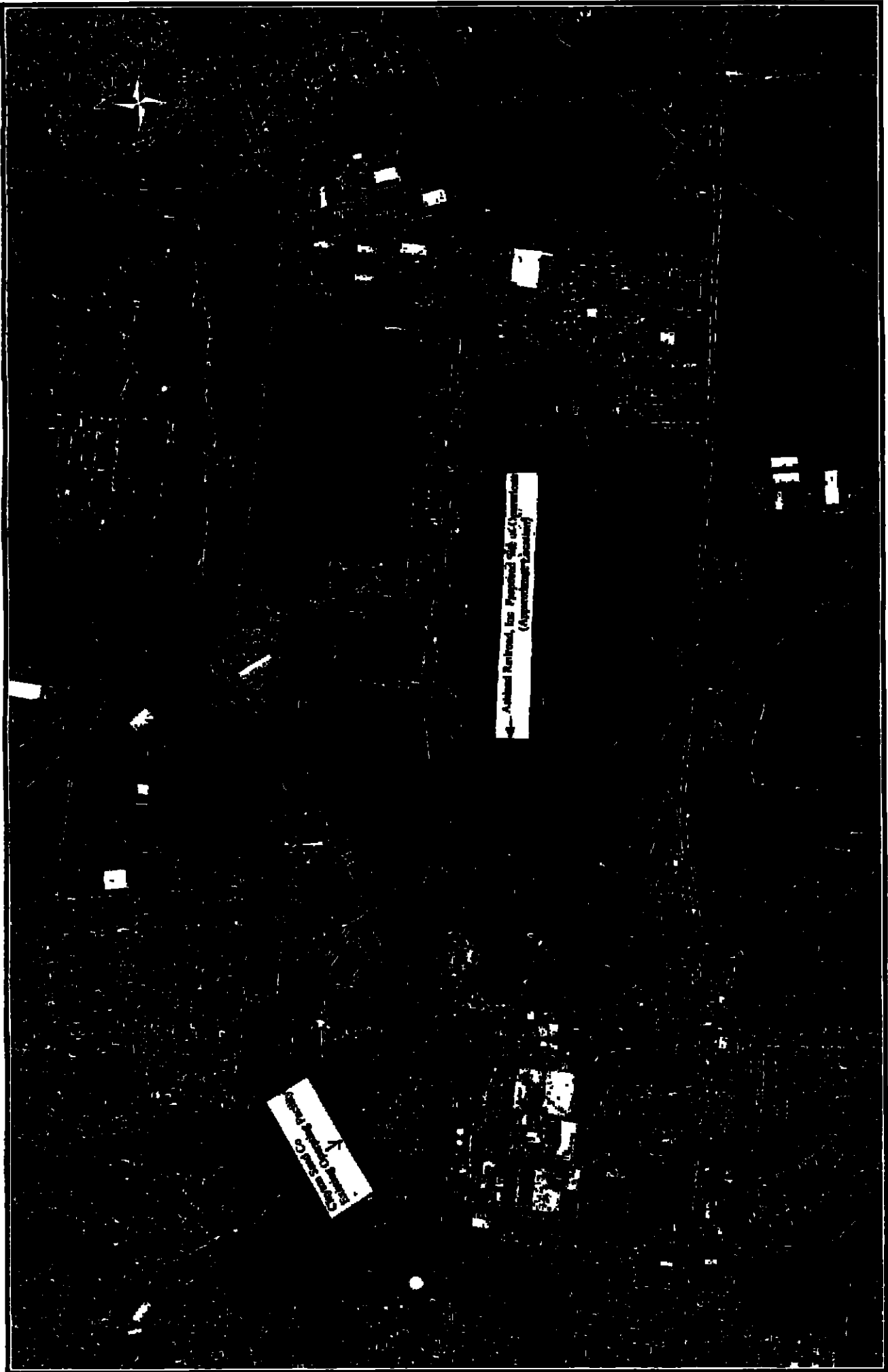
I have reached out to my congressional representatives in Washington, DC and requested they work with their colleagues to take immediate action. Bill H.R. 1248 "The Clean Railroad Act" has been submitted to the House Committee on Transportation and Infrastructure. Senator Lautenberg has introduced Bill S-719 to the Senate Committee on Commerce, Science, and Transportation. Unfortunately, Congress can sometimes move at a snail's pace on some issues. This issue has been around for a couple of years and we already have 15 of these unpermitted and unregulated rail trash transfer facilities operating in the state of New Jersey. At this time, the Surface Transportation Board is the only line of defense to prevent Freehold from being next on the unregulated rail trash transfer facility hit list.

I submit my questions and concerns with the hope that the surface board of transportation will consider them in their deliberations before approving Ashland and/or C. David Crane's application for Notice of Verified Exemption.

Sincerely,

  
James H. Brown

Enc: Exhibit A - Copy of New Jersey Transit Letter of February 21, 2007  
Exhibit B - Copy of area map - prepared by the Monmouth County Planning Board - Mr. Michael LaRossa (732) 431-7460  
Exhibit C,D,E Copy of Letters to N.J. Congressional Representatives



← Actual Railroad, for Proposed Site of Operation  
(Appendix B, Section 1)

Actual Railroad  
Proposed Site of Operation  
(Appendix B, Section 1)

Jan S. Carzine  
Governor

Rita Kolbert, Esq.  
Board Chairman

George L. Warrington  
Executive Director

Exhibit A

**NJ TRANSIT**  
One Penn Plaza East  
Newark, New Jersey 07102-2200  
973-491 7000

February 21, 2007

Mr. Vernon Williams  
Office of the Secretary  
Surface Transportation Board  
1925 K Street, NW  
Washington, DC 20423-0001

Re: Ashland Railroad Company  
Verified Notice of Exemption - Freehold, NJ  
Finance Docket Nos. D34986 and 34987  
Ashland Railroad and David Crane Notices of Exemption

Dear Sir:

New Jersey Transit Corporation ("NJ TRANSIT") hereby submits the following comments regarding the above-mentioned Notices of Exemption ("Notices") filed by Ashland Railroad, Inc. ("Ashland") and G. David Crane ("Crane") on January 29, 2007 under the above referenced docket numbers. NJ TRANSIT respectfully requests that the Surface Transportation Board ("Board") stay the effectiveness of the Notices pending the release of factual information that has not been provided to the Board. Further development of facts is required to determine whether Ashland or Crane are entitled to the exemption set forth in 40 C.F.R. sections 1150.31-34 and 1180.2 and therefore whether Ashland is entitled to lease and operate 1.5 miles of railroad track in Freehold, New Jersey as a "rail carrier" as defined in 49 U.S.C. section 10122(5).

NJ TRANSIT is a public instrumentality of the State of New Jersey established by the New Jersey legislature in 1979 to provide efficient, safe and responsive public transportation. The Verified Notice of Exemption filed by Ashland states that ASRR intends to provide common carrier rail operations over a rail line and interchange with Consolidated Rail Corporation at Freehold (emphasis added) on behalf of CSX Transportation, Inc. and Norfolk Southern Railway Company (Ashland p. 4). NJ TRANSIT is the owner of that portion of the Freehold Secondary rail line where we believe the Ashland traffic will be pulled to the Conrail interchange. In addition, NJ TRANSIT is the owner of a portion of the spur track leading to the site of what we believe is the proposed Ashland facility.

Conrail operates freight service over the Freehold Secondary rail line pursuant to a freight operating easement that Conrail reserved upon transfer of title to the State of New Jersey. A Trackage Rights Agreement between NJ TRANSIT and Consolidated Rail Corporation governs freight operations on this portion of the Freehold Secondary.



Under Section 4.02 (a) (1) of the aforementioned Trackage Rights Agreement, Conrail agrees to arrange for any industry that wishes to install or activate a siding located along NJ TRANSIT properties to "negotiate a suitable permit arrangement with NJ TRANSIT ....". Neither Conrail, Ashland nor Crane have contacted NJ TRANSIT about this service or requested a permit from NJ TRANSIT. In addition, NJ TRANSIT has conferred with Conrail and we have been advised that Conrail has not entered into an interchange agreement with Ashland or Crane.

NJ TRANSIT does not have sufficient information to determine if a permit will be required or granted for this operation. NJ TRANSIT requires information about the proposed operating plan and the types of commodities Ashland intends to transport on NJ TRANSIT's rail line to fully understand the potential impacts of the proposed Ashland operation on NJ TRANSIT's property.

For all of the foregoing reasons, NJ TRANSIT requests that the Board stay the effectiveness of the exemption pending the submittal of the additional information required to evaluate the proposed Notice of Exemption.

NJ TRANSIT also requests that it be made a party of interest in these dockets.

Should you have any questions, please contact me. Thank you for your attention to this matter.

Sincerely,



D.C. Agrawal  
Assistant Executive Director  
Corporate Strategy, Policy, & Contracts

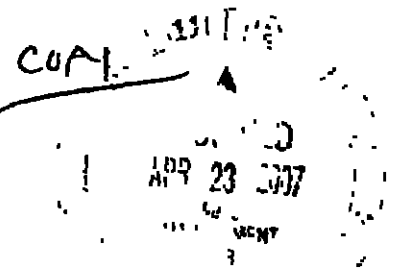
c: John Florilla, Esq.  
Capehart and Scatchard, P.A.  
8000 Midatlantic Drive, Suite 300S  
Mount Laurel, NJ 08054

Kevin P. Auerbacher  
Deputy Attorney General  
Attorney for New Jersey Department  
of Environmental Protection  
25 Market Street, P.O. Box 093  
Trenton, NJ 08625

Jonathan M. Broder  
VP Law and General Counsel  
Consolidated Rail Corporation  
2001 Market Street, 8<sup>th</sup> Floor  
Philadelphia, PA 19103

Exhibit C

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728



April 2, 2007

The Honorable Frank Lautenberg  
The Hart Senate Office Building  
Suite 324  
Washington, DC 20510

Dear Senator Lautenberg:

Over three weeks ago, I emailed your office on an issue of great concern and to date I haven't received a reply. I am writing to restate my concerns over the application by one Ashland Railroad Company, Surface Transportation Board (STB) Finance Docket No. FD-34986 and G. David Crane (STB), Finance Docket No. FD-34987. Both parties have applied for a Notice of Verified Exemption with the Surface Transportation Board to operate a railroad in Freehold, Monmouth County, New Jersey.

Anyone wishing to do a google search, using the words, "rail trash transfer facilities, NJ", will come up with a great deal of information on how companies registered as a railroad receive a Notice of Verified Exemption from the Surface Transportation Board and use this exemption to operate unpermitted and unregulated solid waste facilities. Once local and state governing bodies and/or agencies become aware of what is being done, they step in to stop this type of activity. The railroad holds up their approved Notice of Verified Exemption and lets everyone know they are exempt from any local and state regulatory agencies. Example; U.S. District Court Judge Katharine Hayden recently ruled that the federal government's jurisdiction over railroads interstate commerce trumps state and local efforts to regulate these facilities. State of New Jersey v. New York Susquehanna & Western Railway Corp.

In a letter dated March 28, 2007, Capehart & Scarchard, PA, the law firm representing Ashland Railroad Company and C. David Crane, really put their creative writing skills to the test when they replied to questions put to them by State of New Jersey's Deputy Attorney General and the New Jersey Department of Environmental Protection. The attorneys wrote a whole bunch of words that answer a whole bunch of nothing. Example; Do Ashland and/or Crane intend to communicate with the NJDEP or other New Jersey agencies concerning the proposed facility? Ashland's answer: Ashland has not had communication with New Jersey agencies since there are no approvals required from New Jersey agencies for the operations that Ashland intends to operate. In plain layman terms, if Ashland gets an approved Notice of Verified Exemption, they do not need to communicate or seek approvals because Federal Law preempts local and state law.

Please look at the enclosed map of the area that will be impacted if the Surface Transportation Board grants Ashland Railroad Company the Notice of Verified Exemption. Ashland's application says the railroad will lease a ten acre portion of Block 43 Lot 21 which is about a 50

acre tract of property. Please note the stated railroad touches the most south western portion of the ten acres. Observe there are no existing buildings, a heavy wooded area and streams running through that portion of the property. Ashland's application says they will develop a transloading facility and provide switching and related rail services to facility tenants that utilize the terminal facilities, yet when asked to clarify this statement by the New Jersey Department of Environmental Protection, Ashland replies, "There is no plan to construct a building facility. I guess the so called facility tenants will have to pitch tents on the sod farm and see if that works.

Also noted on the map, observe Clayton Sand Company operates an existing facility approximately 1/8 of a mile from the proposed property mentioned in the Ashland application to the STB. In replies to the Secretary of the Surface Transportation Board and the Deputy Attorney General of the State of New Jersey, Ashland maintains it will operate the railroad primarily for Clayton Sand Company and it's subsidiaries, to handle brick, stones, sand, lumber, salt and similar railroad commodities. If this is Ashland's true intention, why don't they use Clayton Sand's existing facility of operations which the same railroad passes through. Why is there a need to apply for an exemption, tear up a sod farm, develop a transloading terminal for businesses, Ashland can not identify, and currently has no idea of whom they might be?

You spoke out about this issue in 2005, introduced legislation in 2006. On February 28, 2007 you introduced bill number S.719, "Clean Railroads Act of 2007", to stop this loop hole in the law. There are now some 15 or more of these exempt railroads operating unpermitted and unregulated rail trash transfer facilities in New Jersey alone. How many more will be approved before Congress acts.

Fortunately the New Jersey Department of Environmental Protection, New Jersey Transit Authority and numerous other interested parties have stepped up to protest this application. Even if the efforts to stop this application are successful, it will not be enough until our congressional leaders act and change the law. When will that happen?

I respectfully request that someone from your office have the courtesy of at least giving me a reply. Introducing legislation is a start, but unless you move this legislation for a full hearing by the Senate, it means nothing. Introducing legislation does not change the law, only a vote by our elected representatives in Congress will change the law.

Sincerely



James H. Brown  
Resident, U.S Citizen  
Freehold, NJ.

Cc: Mr. V. Williams, Secretary, Surface Transportation Board  
Senator Lautenberg's Newark Office at One Gateway Center  
Senator Lautenberg's Camden Office at One Port Center

Exhibit D

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728

Copy  
APR 23 2007

April 2, 2007

The Honorable Robert Menendez  
United States Senate  
317 Hart Senate Office Building  
Washington, DC 20510-3003

Dear Senator Menendez:

Over three weeks ago I emailed your office on an issue of great concern and to date I haven't received a reply. I am writing to restate my concerns over the application by one Ashland Railroad Company, Surface Transportation Board (STB) Finance Docket No. FD-34986 and G. David Crane (STB), Finance Docket No. FD-34987. Both parties have applied for a Notice of Verified Exemption with the Surface Transportation Board to operate a railroad in Freehold, Monmouth County, New Jersey.

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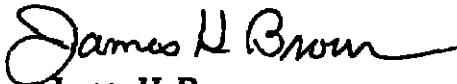
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You spoke out about this issue. On February 28, 2007 you joined Senator Lautenberg in introducing bill number S.719, "Clean Railroads Act of 2007", to stop this loop hole in the law. There are now some 15 or more of these exempt railroads operating unpermitted and unregulated rail trash transfer facilities in New Jersey alone. How many more will be approved before Congress acts.

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Sincerely



James H. Brown  
Resident, U.S Citizen  
Freehold, NJ.

Cc: Mr. V. Williams, Secretary, Surface Transportation Board  
Senator Menendez's Newark Office at One Gateway Center  
Senator Menendez's Barrington Office at 208 White Horse Pike

Exhibit E

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728

Copy  
APR 2 2007  
April 2, 2007

Mr. Dave Kush  
c/o The Honorable Christopher H. Smith  
United States House of Representatives  
2373 Rayburn House Office Building  
Washington, DC 20515-3004

Dear Mr. Kush:

I would like to thank you for your quick response to my email of March 13, 2007. As per our telephone conversation of March 14, 2007, I am writing to restate my concerns over the application by one Ashland Railroad Company, Surface Transportation Board (STB) Finance Docket No. FD-34986 and G. David Crane (STB), Finance Docket No. FD-34987. Both parties have applied for a Notice of Verified Exemption with the Surface Transportation Board to operate a railroad in Freehold, Monmouth County, New Jersey.

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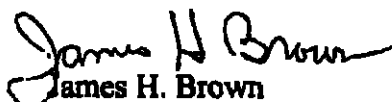
On February 28, 2007 Congressman Frank Pallone, Jr., of the Sixth District of New Jersey, introduced bill number H.R. 1248 "Clean Railroads Act of 2007", to stop this loop hole in the law. There are now some 15 or more of these exempt railroads operating unpermitted and unregulated rail trash transfer facilities in New Jersey alone.

Fortunately the New Jersey Department of Environmental Protection, New Jersey Transit Authority and numerous other interested parties have stepped up to protest this application. Even if the efforts to stop this application are successful, it will not be enough until our congressional leaders act and change the law.

I truly appreciate that Congressman Smith will reach out to work with Congressman Pallone and other members of the House of Representatives to take action on this important piece of legislation. As you are aware introducing legislation does not change the law, only a vote by our elected representatives in Congress will change the law.

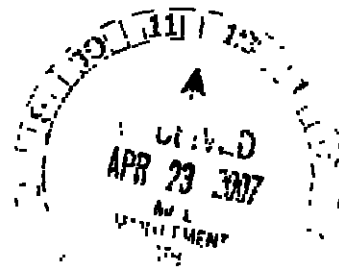
I respectfully request you keep me up to date as progress is made on this issue.

Sincerely

  
James H. Brown  
Resident, U.S Citizen  
Freehold, NJ.

Cc: Mr. V. Williams, Secretary, Surface Transportation Board

BEFORE THE  
SURFACE TRANSPORTATION BOARD



FINANCIAL DOCKET NUMBERS 34986 AND 34987

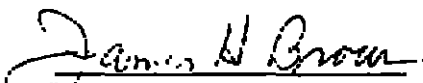
ASHLAND RAILROAD, INC. - LEASE AND OPERATING EXEMPTION -  
RAIL LINE, IN MONMOUTH, NJ  
AND  
IN THE MATTER OF G. DAVID CRANE  
CONTINUANCE IN CONTROL EXEMPTION

NOTICE OF JAMES H. BROWN, RESIDENT  
OF INTENT TO PARTICIPATE

James H. Brown, resident of the Borough of Freehold, Monmouth County, New Jersey, hereby provides notice of his intent to participate as a party of record in the above docketed proceedings. Copies of all pleadings in the proceedings should be served on me:

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728  
Home Number (732)780-5472  
Cell Number (732) 567-3974

Respectfully submitted this 17<sup>th</sup> day of April 2007

  
James H. Brown





# Surface Transportation Board



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**Docket #: FD\_34986\_0**

**Case Title: ASHLAND RAILROAD, INC. -LEASE AND OPERATION EXEMPTION-RAIL  
LINE IN MONMOUTH COUNTY, NJ  
6 Service List entries found.**

**Party Of Record:** Fiorilla, John K  
Capehart & Scratchard, Pa  
Laurel Corporate Center 8000 Midlantic Drive Suite 300  
Mount Laurel, NJ 08054

**Party Of Record:** Broder, Jonathan M  
Consolidated Rail Corporation  
2001 Market Street  
Philadelphia, PA 19103-7044

**Party Of Record:** Auerbacher, Kevin P.  
New Jersey Department Of Environmental Protection  
25 Market Street Po 093  
Trenton, NJ 08625

**Party Of Record:** Agrawal, D. C.  
New Jersey Transit Corporation  
One Penn Plaza East  
Newark, NJ 07105-2246

**Party Of Record:** Scheib, John M.  
Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, VA 23510-9241

**Party Of Record:** Richmond, Stephen M.  
Beveridge & Diamond, P.C.  
45 William Street, Suite 120  
Wellsley, MA 02481



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**Docket #: FD\_34987\_0**

**Case Title: G. DAVID CRANE-CONTINUANCE IN CONTROL EXEMPTION-ASHLAND  
RAILROAD, INC.  
5 Service List entries found.**

**Party Of Record:** Fiorilla, John K  
 Capehart & Scratchard, Pa  
 Laurel Corporate Center 8000 Midlantic Drive Suite 300  
 Mount Laurel, NJ 08054

**Party Of Record:** Broder, Jonathan M  
 Consolidated Rail Corporation  
 2001 Market Street  
 Philadelphia, PA 19103-7044

**Party Of Record:** Auerbacher, Kevin P.  
 New Jersey Department Of Environmental Protection  
 25 Market Street Po 093  
 Trenton, NJ 08625

**Party Of Record:** Agrawal, D. C.  
 New Jersey Transit Corporation  
 One Penn Plaza East  
 Newark, NJ 07105-2246

**Party Of Record:** Richmond, Stephen M.  
 Beveridge & Diamond, P.C.  
 45 William Street, Suite 120  
 Wellsley, MA 02481



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**FIRSTGOV.gov**

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728

MAILED  
APR 23 2007

April 17, 2007

Mr. John K. Fiorilla  
Capehart & Scratchard, PA  
Laurel Corporate Center  
8000 Midlantic Drive, Suite 300  
Mount Laurel, NJ 08054

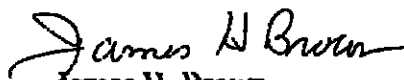
Re: Surface Transportation Dockets 34986 and 34987, Ashland Railroad, Inc. and  
G. David Crane-Verified Notices of Exemptions

Dear Mr. Fiorilla:

As per instructions from the Surface Transportation Board, I am hereby serving you, as a party of record, a copy my letter, with exhibit's A through E, dated April 5, 2007 to Mr. Vernon A. Williams, Surface Transportation Board Secretary. I am sending this copy via certified U.S. Postal Mail Service, this date April 17, 2007.

My letter questions the need of this application, and its inability to answer specific questions in regards to its intended use. My letter also addresses my concerns the negative impacts this request for Notice of Verified Exemption by Ashland Railroad, Inc. and G. David Crane will have upon the quality of life and environment of my community.

Sincerely,

  
James H. Brown  
Resident

cc: Mr. Vernon A. Williams, Secretary Surface Transportation Board

- Enc. \* Copy of James H. Brown letter-with exhibit  
Vernon A Williams, Secretary Surface Trar
- \* Copy of James H. Brown Notice of Intent to

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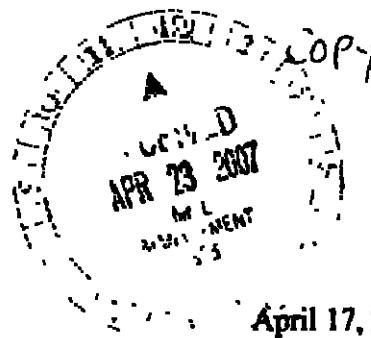
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Restricted Delivery Fee (Endorsement Required)	\$	\$0.00
Total Postage & Fees	\$	\$3.08

Sent to  
J. Fiorilla - Capehart & Scratchard, PA  
Street, Apt No Laurel Corporate Center  
or PO Box No 8000 Midlantic Drive, Suite 300  
City State, Zip Mount Laurel, NJ 08054

2006 2150 0004 9427 7675

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728



April 17, 2007

Mr. Jonathan M. Broder  
Consolidated Rail Corporation  
2001 Market Street  
Philadelphia, PA 19103-7044

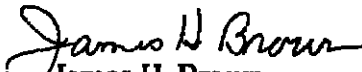
Re: Surface Transportation Dockets 34986 and 34987, Ashland Railroad, Inc. and  
G David Crane-Verified Notices of Exemptions

Dear Mr. Broder:

As per instructions from the Surface Transportation Board, I am hereby serving you, as a party of record, a copy of my letter, with exhibit's A through E, dated April 5, 2007 to Mr. Vernon A. Williams, Secretary Surface Transportation Board. I am serving this copy via certified U.S. Postal Mail Service, this date April 17, 2007.

My letter questions the need of this application, and its inability to answer specific questions in regards to its intended use. My letter also addresses my concerns and the negative impacts this request for Notice of Verified Exemption by Ashland Railroad, Inc. and G. David Crane will have upon the quality of life and environment of my community.

Sincerely,

  
James H. Brown  
Resident

cc: Mr. Vernon A Williams, Secretary Surface Transportation Board

Enc: \* Copy of James H. Brown letter-with exhibit  
Mr. Vernon A. Williams, Secretary Surface

\* Copy of James H. Brown Notice of Intent

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Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$3.03

04/17/2007

Signature: J. Broder - Consolidated Rail Corp  
Street Apt. No.: 2001 Market Street  
City State Zip: Philadelphia, PA 19103-7044

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728

APR 23 2007

Copy

April 17, 2007

Mr. Kevin P. Auerbacher  
New Jersey Department of Environmental Protection  
25 Market Street, PO 093  
Trenton, NJ 08625

Re: Surface Transportation Dockets 34986 and 34987, Ashland Railroad, Inc. and  
G. David Crane-Verified Notices of Exemptions

Dear Mr. Auerbacher:

As per instructions from the Surface Transportation Board, I am hereby serving you, as a party of record, a copy my letter, with exhibit's A through E, dated April 5, 2007 to Mr. Vernon A. Williams, Surface Transportation Board Secretary. I am sending this copy via certified U.S. Postal Mail Service, this date April 17, 2007.

My letter questions the need of this application, and its inability to answer specific questions in regards to its intended use. My letter also addresses my concerns the negative impacts this request for Notice of Verified Exemption by Ashland Railroad, Inc. and G. David Crane will have upon the quality of life and environment of my community.

Sincerely,

*James H. Brown*  
James H. Brown  
Resident

cc: Mr. Vernon A. Williams, Secretary Surface Transportation Board

Enc: \* Copy of James H. Brown letter-with exhibit's A through E, of April 5, 2007 to  
Mr. Vernon A. Williams, Secretary Surface

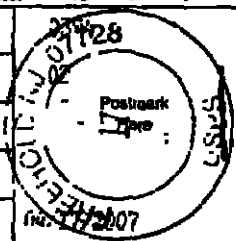
\* Copy of James H. Brown Notice of Intent to

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Restricted Delivery Fee (Endorsement Required)	\$	\$0.00
Total Postage & Fees	\$	\$2.09



7006 2150 0004 9427 7644

Sent to  
*R. Auerbacher* NJ Dept ENVIRONMENTAL  
Street, Apt. No. *25 Market Street* PO Box No. *10093*  
City, State, ZIP+4  
*Trenton, NJ 08625*

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728

April 17, 2007

D.C. Agrawal  
New Jersey Transit Corporation  
One Penn Plaza East  
Newark, NJ 07105-2246

Re: Surface Transportation Dockets 34986 and 34987, Ashland Railroad, Inc. and  
G. David Crane-Verified Notices of Exemptions

Dear D.C. Agrawal:

As per instructions from the Surface Transportation Board, I am hereby serving you, as a party of record, a copy my letter, with exhibit's A through E, dated April 5, 2007 to Mr. Vernon A. Williams, Surface Transportation Board Secretary. I am sending this copy via certified U.S. Postal Mail Service, this date April 17, 2007.

My letter questions the need of this application, and its inability to answer specific questions in regards to its intended use. My letter also addresses my concerns the negative impacts this request for Notice of Verified Exemption by Ashland Railroad, Inc. and G. David Crane will have upon the quality of life and environment of my community.

Sincerely,

*James H. Brown*  
James H. Brown  
Resident

cc Mr. Vernon A. Williams, Secretary Surface Transportation Board

Enc: \* Copy of James H. Brown letter-with exhibit's A through E, of April 5, 2007 to  
Mr. Vernon A. Williams, Secretary Surface

\* Copy of James H. Brown Notice of Intent to

U.S. Postal Service  
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Sent To  
DC Agrawal, N.J. TRANSIT  
Street Apt No  
or PO Box No ONE PENN PLAZA EAST  
City, State ZIP+4  
Newark, N.J. 07105-2246

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728

April 17, 2007

Mr. John M. Scheib  
Norfolk Southern Corporation  
Three Commercial Place  
Norfolk, VA 23510-9241

Re: Surface Transportation Dockets 34986 and 34987, Ashland Railroad, Inc. and  
G. David Crane-Verified Notices of Exemptions

Dear Mr. Scheib,

As per instructions from the Surface Transportation Board, I am hereby serving you, as a party of record, a copy my letter, with exhibit's A through E, dated April 5, 2007 to Mr. Vernon A. Williams, Surface Transportation Board Secretary. I am sending this copy via certified U.S. Postal Mail Service, this date April 17, 2007.

My letter questions the need of this application, and its inability to answer specific questions in regards to its intended use. My letter also addresses my concerns the negative impacts this request for Notice of Verified Exemption by Ashland Railroad, Inc and G. David Crane will have upon the quality of life and environment of my community.

Sincerely,

*James H. Brown*  
James H. Brown  
Resident

cc: Mr. Vernon A. Williams, Secretary Surface Transportation Board

Enc \* Copy of James H. Brown letter-with exhibit's A to E, through April 5, 2007 to  
Mr. Vernon A. Williams, Secretary Surface

\* Copy of James H. Brown Notice of Intent

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Postmark: Norfolk, VA 04/17/2007

Sent to  
J. Scheib, Norfolk Southern Corp  
Three Commercial Place  
Norfolk, VA 23510-9241

James H. Brown  
6 Cottage Place  
Freehold, NJ 07728

April 17, 2007

Mr. Stephen M. Richmond  
Beveridge & Diamond, P.C.  
45 William Street, Suite 120  
Wellsley, MA 02481

Re: Surface Transportation Dockets 34986 and 34987, Ashland Railroad, Inc. and  
G David Crane-Verified Notices of Exemptions

Dear Mr. Richmond.

As per instructions from the Surface Transportation Board, I am hereby serving you, as a party of record, a copy my letter, with exhibit's A through E, dated April 5, 2007 to Mr. Vernon A. Williams, Surface Transportation Board Secretary. I am sending this copy via certified U.S. Postal Mail Service, this date April 17, 2007.

My letter questions the need of this application, and its inability to answer specific questions in regards to its intended use. My letter also addresses my concerns the negative impacts this request for Notice of Verified Exemption by Ashland Railroad, Inc. and G. David Crane will have upon the quality of life and environment of my community.

Sincerely,

  
James H. Brown  
Resident

cc: Mr. Vernon A. Williams, Secretary Surface Transportation Board

Enc: \* Copy of James H. Brown letter-with exhibit's A to E, of April 5, 2007 to Mr.  
Vernon A. Williams, Secretary Surface Trai

\* Copy of James H. Brown Notice of Intent t

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Sent To: S. Richmond - Beveridge & Diamond PC  
Street, Apt. No. or PO Box No. 45 William Street, Suite 120  
City, State, Zip+4 Wellsley, MA 02481